CWP No.1750/2002.

19.04.2007 Present: Mr. Ankush Sood, Advocate for the petitioners.

Mr. M.S. Chandel, Advocate General with Mr. Ashutosh Burathoki, Addl. Advocate General with Ms. Meenakshi Sharma, Dy.AG for respondentsNo.1 to 3.

Mr. Ramakant Sharma, Advocate for respondents No.4 to 6.

The sole ground on the basis of which the order of Director Consolidation has been assailed is that while passing the impugned order, the Director Consolidation has failed to consider all the material as mentioned in para 4 of the petition.

I have gone through the record and heard the parties. It is evident from the contents of order dated 22nd May, 2002 that the material as mentioned in para 4 of the petition has not at all been considered by the Director Consolidation. Hence, I agree with the submission of learned counsel for the petitioner that whatever material has been placed before the Director of Consolidation was to be considered before deciding the lis between the parties by way of decision dated 22nd May, 2002. Accordingly, the order dated 22nd May, 2002 is set aside and the Director of Consolidation (respondent No.1) is directed to decide the matter afresh after taking into consideration the material as mentioned in para 4 of the petition.

The writ petition is disposed of with no order as to costs. To avoid delay, the parties are directed to make themselves available before the Director of Consolidation on 25th May, 2007.

April 19, 2007 **(Rajiv Sharma)**
(sck) **Judge**